

United States District Court
for the
Eastern District of New York

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Roosevelt Turnbull

Case Number:

Name of Sentencing Judicial Officer: The Honorable John Gleeson, United States District Judge.

Date of Original Sentence: October 28, 2005.

Original Offense: 18 USC 1644(d), Receipt of Goods Obtained by the Use of Fraudulent Credit Cards, A Class C Felony.

Original Sentence: Three years probation, \$100 SAF, Special conditions were ordered as follows: 1) \$90,000 restitution to be paid at the rate of 10% gross monthly income (if probation believes this rate does not accurately reflect the offenders ability to pay, or if there is a change to the offender's economic situation the information should be brought to the Court's attention for adjustment, 2) 6 months home confinement (EM authorized if probation feels necessary), 3) 250 hours c/s, 4) full financial disclosure.

Type of Supervision: Probation

Date Supervision Commenced: October 28, 2005

PETITIONING THE COURT

☐ To extend the term of supervision for years, for a total term of years.

☒ To modify the conditions of supervision as follows:

- 1) **The defendant shall participate in a mental health treatment program as directed by the probation department. The defendant shall contribute to costs of services rendered or any psychotropic medications prescribed via co-payment or full payment in an amount to be determined by the probation department, based on the defendant's ability to pay and / or availability of third party payment.**

CAUSE

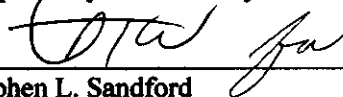
The offender commenced supervision on October 28, 2005, and has remained employed during supervision as a union carpenter. The subject completed home confinement, (HC), on May 21, 2006, paid all HC fees in full, and is in compliance with his Court ordered restitution schedule. Additionally, the offender was placed at the Queens Botanical Garden to complete his community service and is nearing completion of that obligation.

The offender was arrested on May 21, 2006 by the NYPD, 105th precinct, for Poisoning Animals and Reckless Endangerment. The arrest was the result of a domestic disturbance with his daughter, over her dog, that culminated in both their arrests on May 21, 2006. The particulars of the offense conduct are disputed by both parties. A pending court date has been scheduled for June 26, 2006 in Queens Criminal Court. The probation department is currently investigating this situation and nature of the domestic disturbance. The offender and his daughter have both been interviewed and statements were received. We are inclined to believe that this matter will be resolved out of court with the charges being dropped by both parties.


Due to nature of the local charges, the unstable domestic situation and the fact that the offender's wife, Maureen Turnbull, is in custody in connection with the instant federal offense, the probation department is referring the offender for a mental health evaluation. Regarding the new local offense we are requesting that no action be taken until a disposition is reached, at which time we will advise Your Honor accordingly.

Due to the offender's willingness to undergo a mental health evaluation and possible treatment, the probation department is seeking to modify the conditions of supervision to include mental health treatment. Attached is the waiver endorsed by the offender and the Probation Form 12B, on which the Court can indicate its decision in this matter.

Respectfully submitted by,


Stephen L. Sanford
Senior U.S. Probation Officer
Date: May 24, 2006

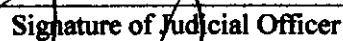
Approved by,


David T. Williams
Supervising U.S. Probation Officer
Date: May 24, 2006

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other

s/John Gleeson


Signature of Judicial Officer

6-6-06

Date

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NEW YORK**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

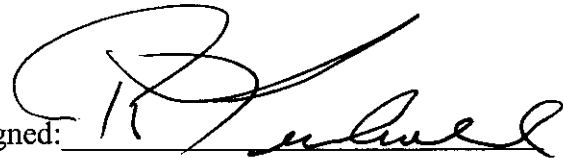
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in a mental health treatment program as directed by the probation department. The defendant shall contribute to costs of services rendered or any psychotropic medications prescribed via co-payment or full payment in an amount to be determined by the probation department, based on the defendant's ability to pay and / or availability of third party payment.

Witness: _____


Stephen L. Sandford
Senior U.S. Probation Officer

Signed: _____


Roosevelt Turnbull
Probationer

May 23, 2006
DATE